

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERIE COUNTY ENVIRONMENTAL COALITION, et al., Plaintiffs,)	
)	
)	
v.)	CIVIL ACTION NO. 05-59 ERIE
)	ELECTRONICALLY FILED
MILLCREEK TOWNSHIP SEWER AUTHORITY, et al., Defendants.)	
)	
)	

**PLAINTIFFS' RESPONSE TO DEFENDANTS' SECOND SUPPLEMENT TO
CONCISE STATEMENT OF MATERIAL FACTS IN SUPPORT OF MOTION
FOR SUMMARY JUDGMENT**

Plaintiffs Erie County Environmental Coalition, PennEnvironment, and Gaia
Defense League, by and through counsel, submit the following as their Response to
Defendants' Second Supplement to Concise Statement of Material Facts:

209b. Plaintiffs lack sufficient knowledge to admit or deny.

245f. Plaintiffs lack sufficient knowledge to admit or deny.

245g. Plaintiffs lack sufficient knowledge to admit or deny.

245h. Plaintiffs lack sufficient knowledge to admit or deny.

245i. Plaintiffs lack sufficient knowledge to admit or deny.

247a. Denied. No methodology has been provided by which the accuracy of the
Defendants' estimate can be determined.

247b. Plaintiffs lack sufficient knowledge to admit or deny.

247c. Denied. No methodology has been provided by which the accuracy of the
Defendants' estimate can be determined.

- 247d. Denied. No methodology has been provided by which the accuracy of the Defendants' estimate can be determined.
- 247e. Denied. No methodology has been provided by which the accuracy of the Defendants' estimate can be determined.
- 247f. Denied. No methodology has been provided by which the accuracy of the Defendants' estimate can be determined.
- 247g. Plaintiffs lack sufficient knowledge to admit or deny.
- 317h. Plaintiffs lack sufficient knowledge to admit or deny.
- 317i. Plaintiffs lack sufficient knowledge to admit or deny.
- 317j. Plaintiffs lack sufficient knowledge to admit or deny.
- 317k. Plaintiffs lack sufficient knowledge to admit or deny.
- 317l. Plaintiffs lack sufficient knowledge to admit or deny.
- 317m. Plaintiffs lack sufficient knowledge to admit or deny.

Respectfully submitted,

/s/ Michael D Fiorentino
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Dated: May 22, 2008

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Response to Defendants' Second Supplement to Concise Statement of Material Facts in Support of their Motion for Summary Judgment was filed by electronic means utilizing the Court's CM/ECF system that will serve notice of the electronic filing to Mark J. Shaw, Esq. and Robert Ernest Gandley, Esq., McDonald, Illig, Jones & Britton, LLP, Attorneys for Defendants, on this 22nd day of May, 2008.

/s/ Michael D. Fiorentino

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